

CHAPTER 349—H. F. No. 741

An act to amend Mason's Minnesota Statutes of 1927, Sections 1919 and 1920 as amended by Laws of 1929, Chapter 166, and Laws 1931, Chapter 71, as amended by Laws 1935, Chapter 135, relating to tax for fire department relief fund, board of trustees of firemen's relief associations and the control and use of the funds of such associations, and to amend Mason's Minnesota Statutes of 1927, Section 3726, as amended by Laws 1929, Chapter 165, relating to the disposition and use of funds by relief associations and fire departments.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 1919, be amended so as to read as follows:

"1919. **Tax for fire department relief fund.**—The village or city council or other governing body of every village and city in this state, *other than cities of the first class, and other than any city or village operating under Chapter 153, 192, and 208, Laws of Minnesota for 1935, or acts amendatory thereof*, which has a regularly organized fire department, may each year, at the time the tax levies are made for the support of the village or city, and in addition thereto, levy a tax of one-tenth of a mill on all the taxable property of such village or city. The tax so levied shall be transmitted to the auditor of the county in which the village or city is situated at the time all other tax levies are transmitted, and shall be collected and payment thereof enforced in like manner as state and county taxes are collected and the payment thereof enforced. The village or city treasurer, when the tax is received by him, shall pay the same over to the treasurer of the duly incorporated firemen's relief association of such village or city, if there is one organized, together with all penalties and interest collected thereon; but if there is no firemen's relief association so organized in any such village or city, or if any such association resign, be dissolved or removed, or any successor of such association resign, be removed or has heretofore resigned or has been removed as trustee of such money, then the treasurer of such municipality shall keep the money in a special fund to be disbursed only for the purposes authorized by this act. Provided, that the village or city council of any village or city in this state which now has or hereafter may have a population of less than 50,000 inhabitants is hereby authorized and empowered, when in its discretion it deems it necessary or desirable so to do, to levy on the taxable property of such village or city an additional amount not to exceed nine-tenths of one mill; such additional tax to be collected and disbursed as herein provided."

Section 2. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 1920, as amended by Laws 1929, Chapter 166,

as amended by Laws 1931, Chapter 71, as amended by Laws 1935, Chapter 135, be and the same is hereby amended so as to read as follows:

“1920. **Board of trustees of firemen's relief associations.**—The board of trustees of every firemen's relief association of this state shall be composed of the following persons, to-wit: six trustees elected annually by such firemen's relief *association* from its own members and also the following *ex officio* members taken from the officers of the municipality in which the relief association is located, viz.: The mayor or president, the recorder or clerk, the treasurer and chief of the fire department thereof, and any such board of trustees of a duly incorporated relief association shall have exclusive control and management of all funds received by its treasurer under the provisions of this act, *funds derived from the State of Minnesota*, and all moneys or property donated, given, granted or devised for the benefit of said funds, and *such funds when* received shall be kept in a special fund on the books of the secretary and treasurer of said association and shall never be disbursed for any purpose whatever except the following, viz.: (1st) For the relief of sick, injured and disabled members of any fire department in such village or city; (2nd) for the payment of pensions to disabled firemen and the widows and orphans of firemen; (3rd) for the payment of pensions to retired firemen pursuant to the laws of the state; (4th) for the payment of the fees, dues and assessments in the Minnesota State Volunteer Firemen's Benefit Association so as to entitle the members of any fire department to membership in and benefits of such state association; (5th) *for the equipment and maintenance of such department and for construction, acquisition or repair of buildings, rooms and premises for fire department use or otherwise; for the payment of such death or funeral benefits as may be from time to time stipulated in the by-laws of the respective relief associations; and (6th) for the payment of necessary expenses of administering said fund including secretary's and treasurer's salaries.*

The term “widow” shall mean a woman who was the wife of the fireman or pensioner during the time he was an active fireman, provided that she was married to him three or more years prior to the time when such fireman retired as a service pensioner. The term “widow” shall not include the surviving wife who has deserted a fireman or pensioner, or who has not been dependent upon him for support.

Provided, that the funds received by any relief association from dues, fines, initiation fees and entertainments shall be kept in a fund called the general fund, and may be disbursed for any purposes authorized by the articles of incorporation and by-laws of said association. Provided, further, that said relief association is hereby authorized and empowered to invest its funds in such income paying

properties and securities as the council of the village or city in which such organization is located shall from time to time authorize. *Provided, further, that benefits shall in all cases be within the limits authorized by state law and in accordance with the articles of incorporation and by-laws of the association.*

Section 3. Law amended.—That Mason's Minnesota Statutes of 1927, Section 3726, as amended by Laws 1929, Chapter 165, be amended so as to read as follows:

"3726 Special fund—disbursements—payments to relief associations.—Such amount shall be kept as a special fund, and disbursed only for the following purposes:

(1) For the relief of sick, injured or disabled members of such fire department, their widows and orphans.

(2) For the equipment and maintenance of such department and for construction, acquisition or repair of buildings, rooms and premises for fire department use or otherwise.

(3) For the payment of the fees, dues and assessments in the volunteer firemen's benefit association of Minnesota so as to entitle the members of any fire department to membership in and benefits of such state association.

(4) For the payment of such death or funeral benefits as may be from time to time *authorized by such municipality.*

But if there shall be a duly incorporated fire department relief association in such municipality, such amount shall be paid to the treasurer of said relief association, *and by him deposited in the special fund of said association, and disbursed as other special funds.*

Approved April 22, 1937.

CHAPTER 350—S. F. No. 774

An act to legalize in certain cases powers of attorney executed in a foreign country between the 20th day of June and the 26th day of July 1929, to which there was not attached the certificate of an officer of the United States therein certifying that such instruments were executed in accordance with the laws of the place of execution; and relating to proof of foreign law in such cases.

Be it enacted by the Legislature of the State of Minnesota: